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## NOTICE OF ALLOWANCE AND FEE(S) DUE

826 7590 01/26/2010

ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

EXAMINER

PLUCINSKI, JAMISUE A

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 01/26/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/939,206

08/24/2001

James M. Gill

018360/291659

3572

TITLE OF INVENTION: FREIGHT RATE MANAGER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$0	\$0	\$755	04/26/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

826 7590 01/26/2010

**ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000**

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,206	08/24/2001	James M. Gill	018360/291659	3572

TITLE OF INVENTION: FREIGHT RATE MANAGER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$0	\$0	\$755	04/26/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
PLUCINSKI, JAMISUE A	3629	705-400000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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EXAMINER

PLUCINSKI, JAMISUE A

ART UNIT

PAPER NUMBER

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## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1303 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1303 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/939,206	GILL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	JAMISUE A. PLUCINSKI	3629	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to BPAI Decision mailed 9/10/09.
2. ☒ The allowed claim(s) is/are 46-83.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
|---|---|

/Jamisue A. Plucinski/  
Primary Examiner, Art Unit 3629

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Chris Haggerty on 1/14/10.

The application has been amended as follows:

#### **In the Claims:**

Please amend the following Claims:

46. **(Currently Amended)** A system for processing data associated with a freight shipment, comprising:

#### **one or more computer processors configured to:**

**execute** a rate sheet input module capable of accepting a plurality of rate sheets wherein each rate sheet specifies published freight rates and each rate sheet is associated with one of a plurality of freight carriers and is respectively structured according to one of a plurality of formats, the rate sheet input module further receiving and storing a rate sheet associated with the one of a plurality of freight carriers and structured according to one of the plurality of formats;

**execute** a rate sheet analyzer module adapted to interface with a template storage module storing a plurality of templates, wherein one of the plurality of templates is associated with a specific freight carrier and is structured according to said one of the plurality of formats to interpret the rate sheet, the rate sheet analyzer module selecting the one of the plurality of templates by matching the one of the plurality of freight carriers

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associated with the rate sheet with the specific freight carrier associated with the one of the plurality of templates; and

execute a rule generation module determining a freight charge associated with the freight carrier using the selected one of the plurality of templates and the rate sheet.

50. (Currently Amended) The system of claim 47 wherein ~~where~~ the rate sheet analyzer module selects the template to interpret the rate sheet based on a keyword in the rate sheet.

51. (Currently Amended) The system of claim 50 wherein ~~where~~ the keyword identifies the freight carrier.

52. (Currently Amended) The system of claim 50 wherein ~~where~~ the selection of the template to interpret the rate sheet based on the keyword in the rate sheet is based on the location of[[']] the keyword in the rate sheet.

54. (Currently Amended) The system of claim 53 further comprising:

the one or more computer processors configured to execute a communications module for communicating the rate sheet to the remote location, ~~the communication module~~ receiving the template adapted to interpret the received rate sheet, ~~the communications module~~ and providing the template to the template storage module.

55. (Currently Amended) The system of claim 50 further comprising the one or more computer processors configured to execute a tariffs module for calculating a tariff charge, the freight charge comprising the tariff charge.

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56. (Currently Amended) The system of claim 55 further comprising **the one or more computer processors configured to execute** a compliance module for determining whether a proposed shipment of goods to a destination country complies with import regulations of the destination country.

57. (Currently Amended) The system of claim 46 further comprising **the one or more computer processors configured to execute** a logging module wherein the freight charge is stored in a file.

58. (Currently Amended) The system of claim 46 further comprising **the one or more computer processors configured to execute** a packaging module wherein the freight charge is determined based in part on a package weight calculation provided by the packaging module.

59. (Currently Amended) The system of claim 46 further comprising:

**the one or more computer processors configured to execute** an accessorial charge module for accepting data representative of accessorial charges associated with the freight rates and determining an accessorial charge wherein the freight charge comprises the accessorial charge.

60. (Currently Amended) A method of determining a charge associated with a freight shipment comprising:

receiving freight data associated with freight to be shipped;

receiving data representative of a rate sheet, the rate sheet specifying published freight rates associated with a freight carrier;

storing the rate sheet;

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selecting a template from a template storage module, via one or more computer devices executing a rate sheet analyzer module, by matching a first freight carrier associated with the template with a freight carrier indicated in the rate sheet;

retrieving the template from the [[a]] template storage module to interpret the rate sheet, the template storage module storing a plurality of templates wherein each template is adapted to respectively interpret a particular rate sheet; and

generating a freight charge, via the one or more computer devices executing a rule generation module, using the selected template to interpret the rate sheet in conjunction with the freight data.

65. **(Currently Amended)** The method of claim 61 wherein retrieving the [[a]] template from the template storage module to interpret the rate sheet is based on a keyword in the rate sheet.

67. **(Currently Amended)** The method of claim 65 wherein retrieving the [[a]] template from the template storage module to interpret the rate sheet is based on the location of the keyword in the rate sheet.

69. **(Currently Amended)** The method of claim 68 further comprising the step of:  
transmitting the rate sheet **module** to the remote location; and  
receiving an identifier associated with the rate sheet used by the rate sheet analyzer module to select the template.

71. **(Currently Amdended)** The method of claim 60 further comprising:  
accepting data representative of accessorial charges associated with the freight rates; and



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generating the freight charge comprising an accessorial charge, via the one or more computer devices executing the rule generation module.

72. (Currently Amended) A computer-readable medium product containing code executable by a computer processor ~~product having computer program logic embodied therein~~ for determining a freight charge comprising computer-executable program instructions when executed cause a computer to perform the steps of: ~~the computer program logic comprising:~~

~~a rate sheet input module capable of~~ accepting a plurality of rate sheets associated with a plurality of carriers wherein each rate sheet specifies published freight rates and each rate sheet is respectively structured according to one of a plurality of formats;[[,]]

~~the rate sheet input module further~~ receiving a specific rate sheet associated with a freight carrier and structured according to one of the plurality of formats;

~~a rate sheet analyzer module adapted to interface with a template storage module~~ ~~for~~ storing a plurality of templates wherein one of the plurality of templates is adapted to interpret the specific rate sheet;[[,]]

~~the rate sheet analyzer module~~ selecting the one of the plurality of templates to interpret the specific rate sheet by matching a first freight carrier associated with the one of the plurality of templates with the freight carrier associated with the specific rate sheet; and

~~a rule generation module~~ calculating the freight charge associated with the freight carrier using the selected one of the plurality of templates and the specific rate sheet.

75. (Currently Amended) The computer-readable medium product of claim 72 wherein the computer-readable program instructions are adapted for receiving system further ~~comprises a user interface module adapted to receive~~ input from a user to specify information about the specific rate sheet.

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76. (Currently Amended) The computer-readable medium product of claim 73 where the computer-readable program instructions are adapted for selecting rate sheet analyzer ~~module selects~~ the template to interpret the specific rate sheet based on a keyword in the rate sheet.

79. (Currently Amended) The computer-readable medium product module of claim 72 wherein the computer-readable program instructions are adapted for further comprising:

~~a communications module for~~ communicating the rate sheet to a remote system for analysis; and, the communication module further adapted for receiving an indication from the remote system identifying the template to interpret the specific rate sheet.

80. (Currently Amended) The computer-readable medium product of claim 72 wherein the computer-readable program instructions are adapted for further comprising:

~~a communications module for~~ communicating the specific rate sheet to a remote system for analysis; ~~the communication module further adapted for~~ receiving the template from the remote system; and, the communications module providing the template ~~to the template storage module~~.

81. (Currently Amended) The computer-readable medium product of claim 72 wherein the computer-readable program instructions are adapted for further comprising:

~~a communications module adapted for~~ receiving and storing templates ~~in the template storage module~~.

82. (Currently Amended) The computer-readable medium product of claim 72 wherein the computer-readable program instructions are adapted for further comprising:

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~~an accessorial charge module~~ accepting data representative of accessorial charges associated with the freight rates for generating an accessorial charge.

83. (Currently Amended) The computer-readable medium product of claim 82 wherein the computer-readable program instructions are adapted for calculating rule-generation ~~module calculates~~ the freight charge comprising the accessorial charge.

2. The following is an examiner's statement of reasons for allowance: See Board Decision, mailed 9/10/09.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMISUE A. PLUCINSKI whose telephone number is (571)272-6811. The examiner can normally be reached on M-Th (5:30 - 4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jamisue A. Plucinski/  
Primary Examiner, Art Unit 3629